



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,696	03/17/2004	Min-Ho Kim	9898-315	7834
20575 7590 04/23/2007 MARGER JOHNSON & MCCOLLOM, P.C. 210 SW MORRISON STREET, SUITE 400 PORTLAND, OR 97204			EXAMINER NATNAEL, PAULO S M	
			ART UNIT	PAPER NUMBER
			2622	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/23/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

10/803, 696

EXAMINER

P. NATNAEL

ART UNIT	PAPER
----------	-------

2622

20070117

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

This is in response to the inquiry made by the applicant regarding the missing claims 16-23 in the previous office action mailed January 22, 2007. The date for response is hereby restarted on the mailing date of this letter.

Paulos M. Natnael
Primary Patent Examiner
Art Unit: 2622

Office Action Summary	Application No.		Applicant(s)	
	10/803,696		KIM, MIN-HO	
	Examiner		Art Unit	
	Paulos M. Natnael		2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-15 is/are allowed.
- 6) ☒ Claim(s) 1,5-7,10,16 and 22 is/are rejected.
- 7) ☒ Claim(s) 2-4,8,9,11,17-21 and 23 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>11/6/06</u> . | 6) <input checked="" type="checkbox"/> Other: <u>PTO-90C</u> |

DETAILED ACTION

1. This office action is in response to applicant inquiry that claims 16-23 were missing from the action that was mailed on January 22, 2007. The response date is hereby restarted on the mailing date of this corrective action. The examiner regrets the inconvenience.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims **1,5-6,10, 16,22** are rejected under 35 U.S.C. 102(e) as being anticipated by Patel, U.S. 6,396,542.

Considering claim 1, Patel discloses a TV receiver receiving HDTV video signals and scan converts them to a lower line scanning rate with field-to-field interlace. Abstract.

Art Unit: 2622

Patel discloses an NTSC rejection filter 30 for suppressing co-channel interference (col. 10, 11-16), sync detector 84 that separates horizontal sync pulses (col. 19, lines 5-15; col. 20, lines 15-22), NTSC/HDTV detector 68, and video source selection multiplexer 128. Patel teaches that, the NTSC-or-HDTV detector 68 conditionally generates an indication that television reception is of an NTSC signal if the keyed AGC signal from the FIG. 4 portion of the receiver is of such a level as to indicate that NTSC horizontal sync pulses of substantial level are being detected. NTSC horizontal sync pulses of substantial level may be detected in the presence of strong co-channel interference accompanying an HDTV transmission, however. The NTSC rejection filter 30 may be able to satisfactorily reject the co-channel interference to provide HDTV reception. If the indications supplied to the NTSC-or-HDTV detector 68 are that an HDTV transmission is being received, this will forestall the NTSC-or-HDTV detector 68 generating an indication that television reception is of an NTSC signal. (Col. 17, lines 25-38) Patel therefore discloses all claimed subject matter.

Regarding claims **5 and 6**, see rejection of claim 1;

Considering claim **10**, see rejection of claim 1;

Regarding claim **16**, Patel discloses receiving HDTV (corresponding to the claimed DTV) signals and scan converts the received signals (Abstract). The reference teaches an NTSC rejection filter 30 that, as is well known in the art, rejects any NTSC, i.e.,

Art Unit: 2622

analog television signal from the received HDTV signal, meeting the claimed language "filtering the DTV signal through an analog television signal rejection filter". (Note: The claimed detecting and determining are inherent in this process; for, without first detecting the presence of an analog signal, the system may not be able determine the presence of the same). The decoders 41, 47,50 (Fig.2, for example) of the reference of Patel are all placed or found downstream (i.e., after) the rejection filter 30 (fig.1), meeting the claimed limitation "prior to decoding". Thus, Patel teaches all claimed subject matter as claimed.

As to claim 22, Patel discloses pulse rate divider circuitry for dividing the rate of the high-definition-television horizontal synchronizing pulses to generate rate-divided high-definition-television horizontal synchronizing pulses occurring at substantially the same rate as normal-definition horizontal synchronizing pulses. (See col. 6, lines 17-26)

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Patel, 6,396,542.

Considering claim 7, Patel discloses an NTSC rejection filter but not a PAL rejection filter. However, the Examiner takes official notice in that such filters are well known in the art and, therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Patel by providing the well-known PAL filter so that the system would be more versatile and useful in both systems.

Allowable Subject Matter

6. Claims **12-15** are allowed.
7. Claims **2-4, 8-9, 11,17-21, 23** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (571) 272-7354. The examiner can normally be reached on 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571)272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Paulos M. Natnael
Primary Patent Examiner
Art Unit 2622

Prm

March 27, 2007